State of California

State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

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,	Wat	ter quality and wastewater reclamation
-	a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES NO
	b.	If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:
		19 (af/mg) 19 (af/mg) 19 (af/mg) 19 (af/mg) I have data to support the above surface water use reductions due to wastewater reclamation. YESNO
3.	Con	njunctive use of surface water and groundwater
	a.	Are you now using groundwater in lieu of surface water? YES NO
	b.	If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:
		19(af/mg) 19(af/mg) 19(af/mg) 19(af/mg) I have data to support the above surface water use reductions due to conjunctive use efforts. YESNO
į	DATE: SIGNA	TED NAME: Currons (first name) (middle init.) ATURE: (middle init.) (last name)
		PANY NAME: Agrasi Las Frances 1710 Partnership
,	COMP	If there is insufficient space for your answers, please use the space provided below.
ı	TEM	CONTINUATION THE PROPERTY SERVED BY THIS DIVERSION WAS TRANSFORED
		To: UDER C. VAN BERL
	ست.نــــ	15400 HWY 173
	_=:	HESPORIA CA 92345
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There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An <u>appropriative right</u> is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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-2-

MAY 2 1 1996

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS P.O. BOX 2000 SACRAMENTO, CA 95812-2000 (916) 657-2170

Ans'd.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

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"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S001457 OWNER OF RECORD: ARC LAS FLORES LIMITED PARTNERSHIP ARC LAS FLORES LIMITED PARTNERSHIP 3397 SELVA ROAD, SUITE 230 LAGUNA NIGUEL, CA 92677

SOURCE: WEET/FORK/MOJAVIT/RANTR

Horse Thief Creek

TRIBUTARY TO: MOJAVE RIVER COUNTY: SAN BERNARDINO

WITHIN: NEW OF NEW SECTION 31, T3N, R4W, MDB&S. DIVERSION

TELEPHONE NUMBER: (714) 389-2217 YEAR OF FIRST USE: 1900 PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

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CONTINUE ON BACK PAGE

WR40-1 (1/95)

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below. I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief. DATED: June 19 95, at June 19 95, at June 19 95, at June 19 95 at

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS P.O. Box 2000 Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

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IVERSION SITE: OWNER'S NAME	Rancho Las Flore	es Limited Partner	ship	AST)
	(FIRST) 7-221-37	(WIDDLE)	(L	ASI)
PARCEL NO	7-221-37			
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OWNER'S NAME _	Rancho Las Flores	(MIDDLE)	(1	AST)
	(FIRST)	(11222		
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NAME Cliff		(WIDDLE)		(LAST)
1-	22071 Colua P	oad, Suite 230		
MAILING ADDRES	Laguna Niguel		·	
	(CITY)	Or Sec.	(STATE)	(ZIP)
	(714)	248	2300	
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(1/95)

Rancho Las Flores

June 19, 1995

State Water Resources Contract Board Division of Water Rights P.O. Box 2000 Sacramento, CA 25812-2000

Subject:

Report of Licensee for 1992, 1993, 1994, Supplemental Statement of Water

Diversion and Use

Enclosed are reports of Licensee for 1992, 1993 and 1994 for license numbers 005716, 005717 and 002750.

Also enclosed are supplemental statements on water diversion and use for statement numbers 5001457, 5001458, 5001459, 5001460 and 5001461.

Sincerely,

Clifford C. Hood

CCH/djp

enclosure

STATE WATER RESOURCES CONTROL BOARD **DIVISION OF WATER RIGHTS**

FEB 2 8 1994 Ans'd.....

P.O. BOX 2000 SACRAMENTO, CA 95812-2000 Ans d.....
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

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WR 40-I (1/94) FOR0127R2

Signature: _

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

Rancho Las Flores

May 23, 1994

State Water Resources Control Board Division of Water Rights P.O. Box 2000 Sacramento, California 95812-2000

Supplemental Statements of Water Diversion and Use (Nos. 001457, 001458, 001459, 001460 and 001461) Re:

Gentlemen:

Enclosed are the documents referenced above. Please note the name correction on Statement No. 001460.

Very truly yours,

Linda J. Stadler

:ljs encls.

> Rancho Las Flores Limited Partnership 33971 Selva Road, Suite 230 · Dana Point, CA 92629 (714) 248-2300 · FAX (714) 248-7454





Rancho Las Flores

June 21, 1991

State of California State Water Resources Control Board Division of Water Rights P.O. Box 2000 Sacramento, CA 95812-2000

RE:

Supplemental Statement of Water Diversion and Use

Gentlemen:

Pursuant to your requirements, we are returning the Supplemental Statement of Water Diversion and Use requested are as follows:

Statement Numbers:

In addition you will find enclosed data for our Las Flores Ranch Recorded Diversions, dated December 1990.

Very truly yours,

ARC-LAS FLORES LIMITED PARTNERSHIP, a Georgia limited partnership

By:

Las Flores Group, Inc. a Georgia Corporation Its: General Partner

Oliver B. Cagle

President

OBC/dld Enclosures

> 33971 Selva Road, Suite 230 · Laguna Niguel, CA 92677 (714) 248-2300 · FAX (714) 248-7454

LAND PLANNING AND SURVEYING

Ans'd....

June 7, 1991

W.O. 2-6013

Mr. Oliver Cagle ARC Las Flores Limited Partnership 3397 Selva Road, Suite 230 Laguna Niguel, CA 92677

Filing of Statement of Diversion -

Rancho Las Flores

Dear Oliver:

The State Water Resources Control Board, Diversion of Water Rights from WR 40-1 (2/90) have been completed for the following Supplemental Statement of Water Diversion and Use;

S-1457 - Horsethief Creek

S-1458 - Grass Valley

S-1459 - Beaver Pond

S-1460 - Upper Diversion - West Fork Mojave River

S-1461 - Lower Diversion - West Fork Mojave River

The quantities are results of regular measurements made by our firm except for the Upper and Lower Diversions of the West Fork Mojave River. These Diversion quantities are from the State Department of Water Resources and are a result of releases from the State Aqueduct in lieu of the destruction of the diversion.

I am sending copies to Don Owen and Dick Anderson. Please sign the documents where indicated and mail so the Division of Water Rights will receive this prior to July 1, 1991.

Also included is an updated summary of diversions for your use.

If you have any questions, please call.

Very truly yours,

C M ENGINEERING ASSOCIATES, INC.

hafles L. Cole

CLC:ldh

cć:

Don Owen

Dick Anderson

(Letters/CLC.67)

225 E. Airport Dr. • P.O. Box 6087, San Bernardino, California 92412 • Phone (714) 884-8804 or (714) 825-9562 • FAX (714) 889-6143 ☐ 41593 Winchester Road, Suite 210 • Temecula, California 92390 • Phone (714) 694-6846 • FAX (714) 694-8608

☐ 910 Sycamore Ave., Suite 102 • P.O. Box 2108, Vista, California 92085-2108 • Phone (619) 598-9100 • FAX (619) 598-1423

		LAS FLOR	ES RANCH I	RECORDED	DIVERSIONS	<u> </u>	
Calendar Year	Licenses 2715 5716 5717	Horsethief Canyon S-1457	Grass Valley S-1458	Beaver Pond S-1459	S-1460 Upper		Total Statement Diversions
1951	* _	0	151	270	1235	20	1,676
1952		250	1273	270	4889	746	7,428
1953		0	221	270	2141	0	2,632
1954		250	649	270	3090	752	5,011
1955		60	400	270	3012	175	3,917
1956		20	192	270	1534	110	2,126
1957		80	260	270	2397	249	3,256
1958	<u> </u>	250	546	270	3298	1098	5,462
1959		90	206	270	1982	295	2,843
1960		60	183	270	2112	199	2,824
1961		0	63	270	557	28	918
1961		200	325	270	386	1126	2,307
1963	*	0	98	270	716	564	1,648
1964	2	20	191	270	1215	396	2,092
1965	2	250	362	270	:1491	950	3,323
 	2	*	569	270	2252	950	4,041
1966	 	0	1289	24	,2684	1724	5,721
1967	d	0	888	24	2126	0	3,038
1968	d	0	1507	50	2620	0	4,177
1969	4		313	50	1845	0	2,208
1970	d	+	*1	**	**	**	
1971	d -	*	*	**	**	**	
1972	d		787	2500 ^{ab}	5884°	ſ	9,171
1973	d	•	394	2500	5703	f	8,597
1974 1975	d	*	246	2500	4524	f	7,270

And the second

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LAS FLORES RANCH RECORDED DIVERSIONS												
Calendar Year	Licenses 2715	Horsethief Canyon	Grass Valley	Beaver Pond	West S-1460	Fork S-1461	Total Statement					
	5716 5717	S-1457	S-1458	S-1459	Upper	Lower	Diversions					
1976		240	245	2500	3804	ſ	6,789					
1977		240	184	2500	3141	f	6,065					
1978	d	240	1269	2500	10604	f	14,613					
1979	d	*	1906	*	8724	f	10,630					
1980	d	*	1824	*	9251	ſ	11,075					
1981	d	*	212	*	3248	f	3,460					
1982	d	*	823	*	702,7	ſ	7,850					
1983	_d 40 2	*	1983	*	11639	ſ	13,622					
1984	- 40 2	*	250 ^e	*	3624	ſ	3,874					
1985	- 40 2	*	250e	*	453 ⁹	f	4,789					
1986	- 25 2	, 15	930	25	5501	ſ	6,471					
1987	- 20 2	10	710	25	3158	ſ	3,903					
1988	- 10 2	20	1233	25	3911	f	5,189					
1989	- 10 2	no flow	771	25	3003	ſ	3,799					
1990	- 10 2	no flow	627	20	1912	f	2,559					

No record at State

Building Cedar Springs Dam Computed Needs Verification

From Ranch Diversion - 1973 to date

Diversions made

Estimated

Included in Ranch Diversion

Prepared by: C M Engineering Associates, Inc.
Date: December 1990

CLC:dh

(LF\Diversions)



NGINEERING ASSOCIATES, INC.

LAND PLANNING AND SURVEYING.

COPY

January 10, 1994

P.N. 2-6003

State of California
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, California 95810

Subject: Water Rights Filings

Gentlemen:

Recently an in-depth review was made of the water rights and records for the Diverter of Record: Las Flores Group, Inc. Additional or revised filings are included to clarify their water rights. We ask that the enclosed applications be included as part of the record.

Please note that the ownership has been changed to RANCHO LAS FLORES LIMITED PARTNERSHIP. All prior filings in the name of Las Flores Group, Inc. are to be changed to reflect this change in ownership name. The mailing address is to remain the same.

Awris polate

Several previously filed records indicate usage which appears to be high, new usage numbers were figured based on better data for the following water rights:

Statement 1457-1973 to 1978 Statement 1458-1973 to 1978 Statement 1459-1973 to 1978

In some cases filings were not made for years where usage occurred:

Application 10831-License 5717-1986 to 1988
Application 10550-License 5716-1986 to 1991
Well Recordation No. 363162-1980 Annual Recordation Notice
Well Recordation No. 363165-1980 Annual Recordation Notice
Well Recordation No. 363164-1980 Annual Recordation Notice
Well Recordation No. 363166-1980 Annual Recordation Notice
Well Recordation No. 363158-1980 Annual Recordation Notice



STATE OF CALIFORNIA. STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810 901 PST. SACRAMENTO, CA (916) 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: 001457

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WR Form 40-i (8-80)

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[&]quot;Statements of Water Diversion and Use"

[&]quot;Information Pertaining to Water Rights in California"

[&]quot;Water Rights for Stockponds Constructed Prior to 1969"

[&]quot;Appropriation of Water in California"

STATE OF CALIFORNIA. STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810 901 P ST. SACRAMENTO, CA (916) 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: 001457

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STATE OF CALIFORNIA. STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

File

TELEPHONE NUMBER:

P.O. BOX 2000 SACRAMENTO, CA 95810 SACRAMENTO, CA STAIN W27759 RESOURCES

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE 1930 OCT 16 AM 8 17 1979, 19

DIVERTER OF RECORD: DIV. OF WATER RIGHTS 1979, 1980, 1981

STATEMENT NO:

ARC Las Flores Limited Partner Ship AMENTO 3397 Selva Road, Suite 230 Laguna Niguel, Ca. 92677

1457

(714) 248-2300

IF NAME/ADDRESS/PHONE NO. IS WHONG OR MISSING, PLEASE CORRECT.

SOURCE: Horsethief Creek

TRIBUTARY TO: West Fork Mojave River/ Mojave River

COUNTY: San Bernardino DIVERSION NE 1/4, NE 1/4, Section 31, T3N, R4W, SBBM WITHIN: INSTRUCTIONS: Please complete Items A B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. Return one copy (Additional information on reverse side of this form.) of this form by July 1, Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not **Amounts** below are: \(\subseteq \) Acre-feet known, check the months in which water was used. (other) Total Dec. Annual Oct. Nov. May June July Aug. Sept. Jan. Feb. Mar. Apr. 170 1979 V 165 1980 1981 B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. 75 ac pasture Irrigation 100 hd stock Stockwatering Domestic __ Other (specify) Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

/0-/ , 19 <u>%</u> , at _ Signature: _____. California

WR Form 40-i (8-80)

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STATE OF CALIFORNIA. 1 STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
SPOTESTIA TSACRAMENTO, CA
CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE 1982, 1983 1982, 1983, 1984 STATEMENT NO:

WR Form 40-i (8-80)

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STATE OF CALIFORNIA. STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810 901 PST. SACRAMENTO, CA (916) 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1985, 1986, 1987

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WR Form 40-i (8-80)

Consultant

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

[&]quot;Statements of Walter Diversion and Use"

[&]quot;Information Pertaining to Water Rights in California"

[&]quot;Water Rights for Stockponds Constructed Prior to 1969" "Appropriation of Water in California"

STATE OF CALIFORNIA. STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

SOX 2000 SACRAMENTO, CA 95810
901 P STA FACRAMENTO RESOURCES
(916) C222 1500 L BOARD P.O. BOX 2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE 1988 - 1989

DIVERTER OF RECORD:

DIV. OF WATER RIGHTS

STATEMENT NO:

ARC Las Flores Limited Partnership 3397 Selva Road, Suite 230

1457

Laguna Niguel, CA 92677

TELEPHONE NUMBER:

oct I

(714) 248-2300

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: 1

Horsethief Creek

TRIBUTARY TO:

West Fork Mojave River/Mojave River

COUNTY:

San Bernardino

DIVERSION

WR Form 40-i (8-80)

NE 1/4, NE 1/4, Section 31, T3N, R4W, SBB&M

WITHIN:

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. Return one copy of this form by July 1, (Additional information on reverse side of this form.) Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not ☐ Gallons Amounts below are: XX Acre-feet known, check the months in which water was used. (other) Total Oct. Nov. Dec. Annual Jan. Feb. Mar. Apr. Máv June Aug. Sept 20 1988 No Flow 1989 B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. 75 ac Pasture Irrigation 100 hd Stock Stockwatering Domestic Other (specify) Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below. I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief. . Caligrand (ST 10-1-90 , 19 <u>90</u>, at Aar

Signature:

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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[&]quot;Appropriation of Water in California"

File under 8-001457

State of California The Renources Agency DEPARTMENT OF WATER RESOURCES

AGREEMENT BETWEEN THE STATE OF CALLFORNIA DEPARTMENT OF WATER RESOURCES AND THE LAS FLORES RANCH, LTD., FOR OPERATION OF LAS FLORES RANCH DIVERSION

pursuant to the provisions of the California Water Resources Development Bond Act, the State Central Valley Project Act, and other applicable laws of the State of California between the State of California, acting by and through its Department of Water Resources, hereinafter called the "State", and the Las Flores Ranch, Ltd. hereinafter called the "Ranch".

- A. The State is authorized to construct and operate facilities for the conveyance and storage of water.
- B. The State constructed Cedar Springs Dam as a part of the State Water Project for the storage and regulation of project waters.
- C. The construction of Cedar Springs Dan interfered with the natural flow regimen of the West Fork of the Mojave River upstream from the Ranch.
- D. As a result of construction of Cedar Springs Dam the State, removed stream diversion works owned and operated by the Eanch and constructed a replacement for the diversion works within State right-of-way. These works, beginning at the Mojave Siphon and consisting of 3290 feet of pipeline extending to and including a dissipator structure with a design capacity of 23 cubic feet per second, shall hereinafter be called the Ranch Diversion.
- E. Operation of the Ranch Diversion can affect the amount of water the Ranch receives that can be put to beneficial use. The Ranch wishes to have

releases through the diversion approximate as nearly as possible the natural flow rates that would have existed without Cedar Springs Dam.

F. The parties to this agreement desire to establish mutually agrecable operational criteria and to provide for joint operational safe-guards for the State's Ranch Diversion and for Facilities of the Ranch within State right-of-way.

NOW THEREFORE, it is mutually agreed as follows:

A. INTRODUCTORY PROVISIONS

- 1. The State and Ranch agree to the operation of the Ranch Diversion, under the provisions set forth hereinafter, until a change is mutually agreed upon in writing. Reither party shall unreasonably withhold its consent to a change in operational provisions.
- 2. This agreement shall become effective on the date first above written and shall remain in effect until such time as is mutually agreed upon by the Ranch or its assigns and the State to terminate the agreement.
- at least equal to the diversion removed during construction of Cedar Springs

 Dam in both reliability and capacity; and (b) the construction and operation of

 such Ranch Diversion by State in accordance with the terms of this agreement

 shall constitute full satisfaction to Ranch for (1) any interference with the

 ability of Ranch to divert or take water from the Mojave River or its tributaries,

 (2) any increased costs which may be incurred by Ranch by virtue of water being

 delivered or furnished to Ranch at a point below the diversion facility formerly

 used by Ranch, and (3) the taking of or interference with such diversion

 facility.
- 4. The State does not by this agreement assume an obligation to store in its facilities or release natural inflow to the Ranch in greater amounts than the Ranch would have obtained had the Department's project facilities not been constructed, or to a greater extent than is necessary to

preserve reasonable, peneficial uses of the Banch.

B. OPERATIONAL PROVISIONS

- 5. The State agrees to operate and maintain the State-owned Ranch Diversion up to but not including the dissipator structure, also owned by the State, under the provisions set forth herein until a change is nutually agreed upon in writing.
- 6. The Ranch agrees to operate and maintain all Ranch facilities, and the dissipator structure, used in the conveyance of water over State rights-of-way, in a good state of repair, as determined by the State.
- 7. During emergency caused by total or partial failure of any
 State facilities, which in the judgment of the State would make it necessary
 to reduce or shut down the flows through the Ranch Diversion in advance of the
 time the Ranch could be notified, the State shall take the necessary action
 and shall, as soon thereafter as possible, notify the Ranch of such action
 by telephone or other expedient means.
- 8. Notification of changes and requests for changes in flow rates through the Ranch Diversion supplying natural stream flows to the Ranch will be made to the following prior to such changes, except in case of emergency as defined in Article 7 above.

Department of Water Resources Castaic Operation and Maintenance Center P.O. Eox 98 Castaic, CA 91310

Telephone: (805) 257-3610

Las Flores Eanch, Ltd. Summit, CA 92387

Telephone: (714) 389-2217

9. Within the limitations described in paragraph 4 above, the State will make a reasonable effort to make welcases from Silverwood Lake and the Ranch Diversion at flow rates equal to the rate of natural streamflow entering the Lake.

:

- regulate flow through the Ranch Diversion so as not to exceed the natural inflow rate to the Lake. Exceeding the inflow rate under low flow conditions could cause a hardship on the Ranch when later adjustments are made to balance quantities. In taking such adjustments the State will not reduce the flow to the Ranch below 50% of inflow to the Lake.
- Ranch Diversion, the Ranch will have the option of receiving releases through the dam outlet works or deferring releases until releases can be resumed through the Ranch Diversion <u>Provided</u> the Ranch is not responsible for the outage. The State shall not be obligated to make deferred releases if the Ranch is responsible for the cutage.
- 12. The State will provide to the Ranch such stream flow records as may be available for areas tributary to Silverwood Lake at regular monthly intervals. The records supplied to the Ranch will include data on releases through the Ranch Diversion.
- plus (2) releases through the Ranch Diversion will be based upon flow relationships taken from attached Exhibit A. These flow relationships shall be used
 until such time as new flow relationships have been mutually agreed upon. Neither
 party shall arbitrarily withhold its consent to agreement if a more accurate
 relationship is shown to exist.

C. SPECIAL PROVISIONS

14. The Ranch shall have the right of access over the property labeled "Area of Access" on the map attached hereto as Exhibit B for the purpose of operating and maintaining its portion of the Banch Diversion and appurtenent irrigation system on State property.

The second secon

- injury or property damage which may arise out of Eanch acts done pursuant hereto or which may arise out of the failure of the Eanch to perform its obligations under this agreement, excepting only such injury or damage as is caused by the negligence or willful misconduct of the State, or its officers or employees or persons or entities operating with the consent of the State. In the event any claim of liability for which the Eanch is responsible is instituted against the State of California, or any department, officer or employee thereof, the Eanch shall defend, indemnify and hold each of them harmless from such claim.
- of Water Resources of the State of California and his successors, or their duly authorized representatives. The contracting officer shall be responsible for all discretionary acts, opinions, judgments, approvals, reviews, and determinations required of the State under the terms of this agreement.
- 17. No assignment or transfer of this agreement or any part hereof, rights hereunder, or interest herein by the Ranch shall be valid unless and until the State has been notified of any sale or assignment.
- 18. This agreement and all of its provisions shall apply to and bind the successors and assigns of the parties hereto.
- all downstream water users and to the extent that any downstream users not a party to this agreement institute any action or proceedings for the purpose of protecting their rights to the flow of the Mojave River, the parties hereto will attempt to resolve any inconsistency that may exist between the provisions of this agreement and the rights of any other downstream users, and this agreement shall be subject to modification by any final judgment rendered in favor of any such party.

20. Any waiver at any time by any party hereto of its rights with respect to a default or any other matter arising in connection with this agreement, shall not be deemed to be a waiver with respect to any other default or matter.

IN WITNESS WHEREOF, the parties hereto have executed this contract on the date first above written.

STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES LAS FLORES RANCE, LTD.
By Las Flores Ranch Corporation
General Partners

Approved as to legal form

Chief Counsel. Department of Bater Measuruss

and sufficiency:

GAGED DIFLOW VS. SYNTHETIC CUTFLOW FOR THE CEDAR SPRINGS MATERSHED IN ACRE FEET HER MONTH

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*The value used for inflow in this relationship is the total combined come inflow at stations V92300 (WROT FORK MOJAVE RIVER ABOVE CETAR STRINGS), and V92250 (IMST FORK OF WEST FORK OF THE MOJAVE RIVER ABOVE CETAR STRINGS). For combined gaged inflow greater than 300 of the above table will not be used, and instead the change in storage method for determining outflow will be used.

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EXHIBIT "A" (con new)

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1700 - 3570	3100 - 6400	5000 - 101.00	7800 - 16300
1500 - 3750	3200 – 6 600	5200 - 20803	8000 - 16700
1900 - 3990	3300 - 6500	5600 - 11300	8200 - 17100
2000 - 7500	3400 - 7100	5600 - 11700	8100 - 17500
2100 LL00	3500 - 7300	5500 - 12100	8600 - 17900
2200 - 1600	3600 - 7500	6000 - 12500	6800 - 18300
2300 - 1800	3700 - 7700	6200 - 12900	9000 - 18700
2h00 - 5000	3800 - 7900	640a - 1330a	9200 - 19100
2500 - 5200	3900 - 8100	6600 - 13800	9400 - 19500
2600 - 5100	1000 - 8300	6800 - 14200	2600 - 12900
2700 - 5600	1200 - 8500	7000 - 11/600	9500 - 20300
•		•	10000 - 20700

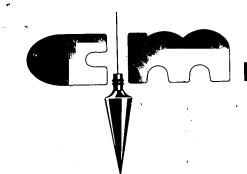
BASE AND MERIDIAN T. 3N., R. 4W STATE R/W 29 28 32 33 90-58-02 FENCE AREA OF ACCESS -ENERGY DISSIPATOR 85442-182 PIPE LINE FROM MOJAVE SIPHON 86-42'-36" EXISTING ROAD 132.98' N86'-34'-45"W HWY 173 ACCESS ROAD TO VISITORS OVERLOOK SCALE:1"= 200'

DAN DEMNARUIN

STATE WATER RESOURCES
--CONTROL BOARD

1990 OCT 16 AM 8: 18

DIV. OF WATER RICHTS SACRAMENTO



ENGINEERING ASSOCIATES, INC.

1990 GAND PLANNING AND SURVEYING

DIV. OF WATER RIGHTS SACRAMENTO

TRANSMITTAL FORM

State Water Resources Control Boar To: <u>Division of Water Rig</u> hts	rd Date: October 10, 1990
	WO No 2-6007
P.O. Box 2000 Sacramento, CA 95810	Las Flores Ranch
	ne
Attention: Mr. Koso Nodahara	
We transmit to you: Separately	
Enclosed	
·*	
The following:	002750
Statements 1460/61, 1457, 1459, 14	458 and Application A009768 - License 002750
300001101101	
Purpose: X For your use	Approved
Purpose: X For your use	
For Checking	Approved as Noted
For Approval	Returned for Correction
Day Vous Poquest	Please return check prints when
Per Your Request	originals are submitted for
Signature	approval signature.
	ons and records as we discussed some time ago.
Remarks: We are updating these diversion	ons and records as we are
If you have any questions, pleas	e contact me.
	C M ENGINEERING ASSOCIATES, INC.
	By: Thanles L. Cole
cc: w/enc.	w/o enc.
	w/o enc.
_ w/enc.	
w/enc.	w/o enc.
CLC: aC X 225 E. Airport Dr. • P.O. Box 6087, San Bernardi	ino, California 92412 • Phone (714) 884-8804 or (714) 825-9562, FAX (714) 889-6143
225 E. AIrport Dr. • P.O. Box 6007, Sail Bernardi	Box 2108, Vista, California 92083 • Phone (619) 758-3680, FAX (619) 758-3691
550 West Vista Way • Melrose Center • P.O.	, DOX 2100, 113(a) 03(110) 110 110 110 110 110 110 110 110 110

ISON OCT 16 AM B- 16 DIV. OF WATER PIGHTS SACRAMENTO

NOTICE OF ASSIGNMENT

State Water Resources Control Board Division of Water Rights P. O. Box 2000 Sacramento, CA 95810

Gentlemen:

I have assigned all my right, title, and interest in STATEMENT OF WATER DIVERSION AND USE NO. 1457
on file with the State Water Resources Control Board t
ARC Las Flores Limited Partnership
whose address is:
450 Newport Center Drive, Suite 670 (Address)
Newport Beach
(City)
California 92660: (zip code)
(State) (216 Code) Telephone No. (714) 721-0190
Las Fistos Educi: Lid. 2391 Carriage Circle Oceanside, Ca 92056
(Signature)
(Signature) Telephone No. (69) 757-7527
Dated: June 8, 1988

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO CA 95612-2000 SOURCES SACRAMENTO CA 95612-2000 SOURCES (916) 322-4503

(916) 324-5676 SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

SACRATENTOS TATEMENT NO: 001457

ARC LAS FLORES LIMITED PARTNERSHIP 3347 SELVA ROAD, SUITE 230 LAGUNA NIGUEL, CA 92677

TELEPHONE NUMBER: (714) 248-2300

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE:

Horsethief Creek

TRIBUTARY TO: MOJAVE RIVER

COUNTY: West Fork Mojave River

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	WITHIN								•				
all or pa	art of y	your re	egular	water	supply	ly with	reclain	med o	or polit	luted v	water.	RETUR	ou replaced RN this form.)
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DATED:	Tool policies		51						1		1_		California
WR 40-1 (2/90)		•				Signati		fu	<u>.</u>	lug	1	<u> </u>	 ,

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different water-shed, or return flows from use of groundwater.

An <u>appropriative right</u> is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA THE RESOURCES AGENCY STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be to provitten or legibly written in ink.

	LTU			
me of person diverting water		Californ	14 91030	1
me of person diverting water Idress c/o Dennis Winton, 401 Premont Lane, S	outh Pasaden	o vertion		
C71111	hief Creek			
ame of body of water at point of diversion. Horset	ice Modeve Ri	Y01	· • • • • • • • • • • • • • • • • • • •	
West Fork Molave Aliver			æ	-
- srp 31 To	ownship 3 N	, Range A W		BkM,
see of diversion NE 1/4 Section Section See Sen Bernardino County, or locate it on sketch of sec	tion grid on rever	se side with reg	ard to section	n lines or
	er von			
rominent local landmarks.	4		:	. i inchia
lame of works Horsethief				
Capacity of diversion works			cubic fee 	therpayer
Capacity of diversion works	1	····	gallons acre-fost	•
Capacity of storage reservoir			SCLE-LOS	- 4
Searce quantity of water used each month in gollons on acre-feet	•		•	Total Annual
- Anr. May June Jul	y Aug. Sept	. Oct. No	v. Dec.	: 250
70//: - : Y : X				
1966: X X X X If monthly and annual use are not known, check months in when the second secon	1 * 1 L	id. State extent	of use in us	uits, such s
acres of each crop irrigated, average number of persons served,	250		acre-6	þ.
1965: 3	250			
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Maximum annual water use in reservers 1965: A Minimum annual water use it. at years 1963:	250		acre-f	
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Maximum annual water use in receive years	power meter.	water mete	gallens scre-fe gallens scre-fe	
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Maximum annual water use in receive years	power meter	, water mete	gallens scre-fe gallens scre-fe	
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